

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SAUL HOROWITZ, *as sellers'*  
*representative,*

Plaintiff,

-v-

NATIONAL GAS & ELECTRIC, LLC,  
and SPARK ENERGY, INC.,  
Defendants.

17-CV-7742 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

The Court held a pretrial conference in this matter on May 8, 2019. For the reasons stated from the bench:

- Plaintiff's motion at Docket Number 51 for partial summary judgment is DENIED WITHOUT PREJUDICE to renewal of the arguments therein.
- Defendants' motion at Docket Number 63 for leave to file an amended answer is GRANTED. Defendants shall file an amended answer in the form indicated at Docket Number 64-1 within seven (7) days of the date of this order.
- Defendants' motion at Docket Number 83 for leave to file an amended answer is DENIED.
- Defendants' motion at Docket Number 86 for sanctions is GRANTED in part and DENIED in part.
- Plaintiff's motion at Docket Number 113 to strike certain portions of Defendants' reply in support of their motion for sanctions or in the alternative for leave to file a sur-reply is GRANTED in part and DENIED in part.

- The parties' motions at Docket Numbers 85, 88, 92, and 105 for leave to file portions of the briefing of the aforementioned motions under seal are GRANTED.

The parties are directed to appear for a pretrial conference to be held on August 15, 2019 at 3:00 p.m.

The Clerk of Court is directed to close the motions at Docket Numbers 51, 63, 83, 85, 86, 88, 92, 105, and 113.

SO ORDERED.

Dated: May 8, 2019  
New York, New York



J. PAUL OETKEN  
United States District Judge